IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 5TH JULY 2006 / 14TH ASHADA 1928

Bail Appl..No. 3877 of 2006()

C.P.NO.4/2006 OF J.F.C.M-II, SULTHAN BATHERY

PETITIONER/ACUCSED.

KUNHUMON @ SINEESH GEORGE,
S/O.GEORGE, KOODAKATHIL HOUSE, KAYAKUNNU,
NADAVAYAL, PANAMARAM.

BY ADV. SRI.S.M.PRASANTH
DR.K.BALAKRISHNAN

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.T.K.KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 3877 of 2006

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Dated this the 5th day of July, 2006

O R D E R

The petitioner is accused of an offence punishable under Section 55(g) of the Abkari Act. It is alleged that the Excise Range Inspector of Sulthan Bathery has detected and seized 173 packets of Karnataka made arrack from a trench, near the house of the petitioner. It is submitted that the petitioner was absconding. However, the counsel for the petitioner submitted that the petitioner was not aware of the seizure as well as the case.

2. In the facts and circumstances of this case, I direct the petitioner to appear before the J.F.C.M-II, Sulthan Bathery in C.P.No.4/2006 of that Court. The learned Magistrate shall consider the application of the petitioner and allow him to be on bail, on imposing necessary conditions, after ascertaining from the prosecutor that he is not accused of any other offence under the Abkari Act.

(J.M.JAMES)
Judge

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